IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Writ Petition No. 647 (M/B) of 2002

1. Tara Chand s/o Harish Kumar Rajpur
2. Chand Prakash s/o Andum Dev Duzeina
3. Radha Kisan s/o Mohan Lal Hakiza
4. Ajay Kumar Gupta s/o Jagat Bandhu
5. Ashwini Kumar s/o Jagat Bandhu
6. Anil Kumar s/o lat Gyan Chand
7. Kartar Singh s/o Rankekh Singh
8. Vijay Kumar
9. Bhawani s/o Madan Singh
10. Mangal Singh s/o Sri Lal ……... Petitioners

Versus

1. State of Uttaranchal
2. Superintendent of Police Haridwar
3. Executive Engineer, P.W.D. Haridwar
4. Haridwar Development Authority
5. Nagar Palika Parishad Haridwar …… Respondents

Sri Hari Mohan Bhatia, Advocate, for the petitioners

Sri Pankaj Miglani, Advocate and C.S.C. for respondents.

Corum: **Hon'ble S.H. Kapadia, C.J.**

Honb'le Rajesh Tandon, J.

Date: 15.09.2003

PC:

The petitioner claims that they are having their shops in Nagar Palika, Haridwar for the last 25 years. They are running their business

in the stalls. There are no regular shops in which the petitioners are carrying on business. The Nagar Palika, Haridwar has threatened the demolition of the stalls.

We direct the Executive Officer, Nagar Palika, Haridwar to give notices to the petitioners. The petitioners will reply to the said notices within two weeks from the receipt. They will thereafter produce evidence in support of their claims. On receiving reply the Executive Officer will dispose of representations in accordance with law giving reasons. If any adverse order is passed, the petitioners will be at liberty to either prefer appeal against the order of Executive Officer and if no appeal is available, they are at liberty to move to this Court under Article 226 of the Constitution.

The writ petition is disposed of accordingly.

(Rajesh Tandon, J.) **(S.H.Kapadia, C.J.)**